

**RULES
OF
THE DEPARTMENT OF COMMERCE AND INSURANCE
DIVISION OF REGULATORY BOARDS
PERSONNEL SERVICES**

**CHAPTER 0780-5-5
PERSONNEL SERVICES REGISTRATION AND RECORDS**

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0780-5-5-.01 PURPOSE. The purpose of this chapter is to provide for administration and implementation of the Tennessee Personnel Services Act, *Tennessee Code Annotated*, Title 62, Chapter 31 (as amended by Public Acts of 1990, Chapter 1026), herein referred to as the “Act!”

Authority: T.C.A.. §62-31-207(a). **Administrative History:** Original rule filed February 6, 1991; effective March 23, 1991.

0780-5-5-.02 DEFINITIONS. As used in this chapter, unless the context otherwise requires, the definitions of terms contained in the T.C.A. §62-31-102.

Authority: T.C.A.. §62-31-207(a). **Administrative History:** Original rule filed February 6, 1991; effective March 23, 1991.

0780-5-5-.03 APPLICATIONS FOR REGISTRATION. All applications for registration of a personnel service, temporary help services firm, contract labor firm or employee leasing organization shall be made on a form provided by the Department of Commerce and Insurance All applications must be signed by the owner, partner or authorized corporate officer of the applicant. All addresses furnished must include the street name and number or rural route number.

Authority: T.C.A. §§62-31-202 and 62-31-207(a). **Administrative History:** Original rule filed February 6, 1991; effective March 23, 1991.

0780-5-5-04 FEES.

- (1) All applications for registration under the Act shall be accompanied by a non-refundable fee of three hundred dollars (\$300.00).
- (2) All registrations shall expire one (1) year from the date of registration.
- (3) All applications for a renewal registration under the Act shall be on a form as provided by the Department of Commerce and Insurance and accompanied by a non-refundable, non-proratable fee of three hundred dollars (\$300.00).
- (4) All persons holding a personnel recruiting service license under the former Tennessee Personnel Recruiting Services Act shall be considered registered under this Act until the expiration of said license.

Authority: T.C.A.. §§62-31-201, 62-31-202, and 62-31-207(a). **Administrative History:** Original rule filed February 6, 1991; effective March 23, 1991.

0780-5-5-.05 RECORDS AND NOTICE OF BENEFITS.

- (1) Each personnel service, temporary help services firm, contract labor firm or employee leasing organization that provides benefits to the employees it furnishes to perform services for others, shall keep and retain for a period of two (2) years records showing that each employee, at the time of hire or acceptance for employment by the firm, has received a list of the benefits offered by the firm at that time.
- (2) Such records must be kept by the firm only with respect to the employees it furnishes to others and not its full-time staff employees or, in the case of personnel services, candidates for permanent placement with other employers.
- (3) The records required under this rule should be kept at the address where the employee was initially hired or accepted for employment.
- (4) The following is a sample form that may be used to show compliance with the notice requirements. The form is illustrative only and firms may use other forms, provided they satisfy the intent of these rules.

ABC Firm

I understand that ABC Firm is my employer and is responsible for providing me with worker's compensation coverage, unemployment insurance, overtime pay as provided by law, etc. (for example, health insurance, vacation pay, and other benefits, if applicable).

I understand that if I have any questions regarding my benefits or any changes in my benefits, I should contact my ABC supervisor.

By my signature I acknowledge receipt of a copy of this document.

Employee Signature

Date

- (a) If benefits are provided by a third person, the firm furnishing the employees shall notify the employees of such third person and how to obtain information regarding the benefits offered by such person.

Authority: T.C.A. §§62-31-202 and 62-31-207(a). **Administrative History:** Original rule filed February 6, 1991; effective March 23, 1991.